

(ii) a coding sequence of a protein which inhibits apoptosis or suppresses plant disease response,

before, during or after co-cultivating with *Agrobacterium*, wherein the delivery or expression of said nucleotide sequence inhibits *Agrobacterium* induced necrosis in said plant cell or tissue and said *Agrobacterium* comprises a vector comprising said gene construct; and


(b) regenerating the transformed plant cell or tissue to produce said fertile transgenic plant.

17. The method according to claim 17, wherein said nucleotide sequences comprises an antigene sequence to a gene encoding a protease, kinase, or phosphatase.

18. The method according to claim 17, wherein said nucleotide sequence comprises an antisense sequence to a gene encoding a protease, kinase or phosphatase.--

Respectfully submitted,

Syngenta
Patent Department
P.O. Box 12257
Research Triangle Park, NC 27709-2257
(919) 541-8566



Marcia R. Morton
Attorney for Applicant
Reg. No. 46,942

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